



SEP 18 2006

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES AND/OR
SUBMISSION OF APPEAL BRIEF**

Attorney Docket No.
ASC-023DVC2

In re Application of **Fitzgerald**

Application Serial Number **10/022,689**

Filed: **December 17, 2001**

Group Art Unit: **2813**

Examiner: **Laura M. Schillinger**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated **June 14, 2006**, rejecting the following claims: **35, 44, and 45.**

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ **500.00**

<input type="checkbox"/> Fee for Brief in support of appeal (37 CFR 1.17(c))	\$ _____
<input type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27, therefore, the fee(s) shown above is/are reduced by half, and the resulting fee is:	\$ _____
<input type="checkbox"/> Appeal Brief enclosed in triplicate.	_____
<input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.	_____
<input type="checkbox"/> The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 07-1700. Enclosed is a copy of this sheet.	_____
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 07-1700.	_____
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) is enclosed.	_____
<input checked="" type="checkbox"/> Return receipt postcard enclosed.	_____

I am the applicant
 assignee of record of the entire interest.
 attorney or agent of record.
 attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414	<p>Respectfully submitted,  Matthew T. Currie Agent for Applicants Goodwin Procter LLP Exchange Place Boston, MA 02109</p>

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